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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,218	11/27/2001	John S. Wronski JR.	F-421	9211

919 7590 07/30/2003

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EXAMINER

FELTEN, DANIEL S

ART UNIT

PAPER NUMBER

3624

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/995, 218

Applicant(s)

Wronski

Examiner

D. Felten

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 05, 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

DETAILED ACTION

1
2 1. Receipt of the amendment filed May 05, 2003 with amendments made to applicant's
3 specification and to independent claims 1, 8, 16 and 18 are acknowledged. Claims 1-24 remain
4 pending in the application and are presented to be examined upon their merits.
5
6

7 *Response to Arguments*

8 2. Applicant's arguments with respect to claims 1-24 have been considered but are moot in
9 view of the new ground(s) of rejection.
10
11

12 *Claim Rejections - 35 USC § 103*

13 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
14 obviousness rejections set forth in this Office action:

15 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
16 section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
17 are such that the subject matter as a whole would have been obvious at the time the invention was made to a
18 person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
19 negatived by the manner in which the invention was made.
20

21 4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Langhans
22 et al (hereinafter "Langhans", US 5,500,513).
23
24

1 Langhans discloses a method, as in claims 1, 2, 4-9, 11-14 and 18-24 for authorizing
2 purchases by an owner of an account previously established with a bank, the owner wanting to
3 purchase an item from a merchant, the method and/or system comprising:

4 as in claims 15-17, having means and providing a plurality of authorization parameters
5 available for use in calculating an authorization code associated with a transaction to purchase
6 the item (see Langhans, Abstract, col. 1, ll. 62 to col. 2, ll. 8); and

7 having means and defining a selected subset of the plurality of authorization parameters
8 (see Langhans, Abstract, col. 1, ll. 62 to col. 2, ll. 8); and

9 having means and establishing respective authorization parameter data for each of the
10 selected authorization parameters (see Langhans, col. 1, ll. 64 to col. 2, ll. 8);

11 having means and calculating the authorization code corresponding to the established
12 respective authorization parameter data (see Langhans, col. 7, ll. 54+);

13 having means and providing authorization code to the owner (see Langhans, col. 14, ll.
14 6+);

15 having means and receiving the authorization code and transaction data from the
16 merchant (see Langhans, Abstract, col. 1, ll. 62 to col. 2, ll. 8);

17 having means and calculating a confirmation authorization from the transaction data
18 corresponding to the established respective authorization parameter data (see Langhans, col.
19 14, ll. 6+); and

20 as in claims 3, 10, having means and comparing the authorization code with the
21 confirmation authorization to determine whether or not to approve the transaction (see
22 Langhans, col. 7, ll. 54+).

Langhans fails to disclose that the owner may be an individual. Gephart discloses a limit use account system for an individual account (see Gephart abstract). It would have been obvious for an artisan at the time the invention was made to modify Langham's system so as to allow account ownership to be for an individual account rather than a company because an artisan at the time of the invention would have recognized the fact that there may be levels of security that an individual would like to establish in order to protect the individual against false or fraudulent uses/abused of the individual account. Thus an artisan of ordinary skill in the art would have sought to provide an individual with the same protections and securities as the company in the use or making certain transaction via authorization codes and/or confirmation codes. Thus to modify Langhans with consideration of an individual account would be considered an obvious extension of the teaching of Langhans as well as an obvious expedient to one of ordinary skill in the art.

Conclusion

5. A list of relevant prior art appears below not relied upon in this Office Action:

US Patents:

Walker et al (US 5,999,596) discloses a method and system for controlling authorization of credit card transactions.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ***Daniel S. Felten*** whose telephone number is (703) 305-0724. The examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday. Any inquiry of a general nature relating to the status of this application or its proceedings should

1 be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor
2 *Vincent Millin* whose telephone number is (703) 308-1065.

3
4 7. Response to this action should be mailed to:

5
6 Commissioner of Patents and Trademarks

7 Washington, D.C. 20231

8
9 for formal communications intended for entry, or (703) 305-0040, for informal or draft
10 communications, please label "Proposed" or "Draft".

11 Communications via Internet e-mail regarding this application, other than those under 35
12 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be
13 addressed to [*daniel.felten@uspto.gov*].

14
15 All Internet e-mail communications will be made of record in the application file. PTO
16 employees do not engage in Internet communications where there exists a possibility that
17 sensitive information could be identified or exchanged unless the record includes a properly
18 signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly
19 set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and
20 Trademark on February 25, 1997 at 1 195 OG 89.

21
22 

23 DSF

24 July 25, 2003


VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600